

REMARKS

Claims 1-11 were pending at the time of the Office Action. In this Amendment, claims 1-4 and 6 have been amended to address the 35 U.S.C. 101 rejection and multiple dependency and claims 7 and 11 have been canceled. Support is found in, for example, FIG. 1 and paragraphs [0018] and [0031]-[0033] of the application-as-published, US2006/0132597. Care has been exercised not to introduce new matter. Claims 1-6 and 8-10 are currently pending for examination, of which claims 1-4 and 8-10 are independent.

CLAIM OBJECTIONS

Claim 6 was objected to under 37 CFR 1.75(c) as being in improper for a multiple dependency. In response, appropriate corrections have been made to claim 6. Withdrawal of the objection is respectfully requested.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 101

Claims 1-4, 6 and 7 were rejected under 35 U.S.C. § 101 because the claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter). The rejection is respectfully traversed for the following reasons.

In response, independent claims 1-4 have been amended to add, to preambles thereof, “performed by a stereoscopic image display device.” The stereoscopic image display device clearly falls into classes (article or machine) of statutory subject matter product and should be free of issue of the rejection under 35 U.S.C. §101. The “stereoscopic vision-use image providing method,” in claims 1-4, is tied to the “stereoscopic image display device” to provide a stereoscopic vision-use image. Because the claimed subject matter in claims 1-4, 6 and 7 is tied

to a particular machine (a stereoscopic image display device), the subject matter in those claims 1-4, 6 and 7 should be patent eligible subject matter. *In re Bilski*, Case No. 07-1130 (Fed. Cir., 2008)

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 7 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tomoaki et al. (JP 2002-095018, hereinafter “Tomoaki”).

In response, claims 7 and 11 have been canceled and, thus, the rejection is rendered moot.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

Claims 1-5 and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Toru (JP 2000-078611, hereinafter “Toru”) in view of Mitchell (U.S. 6,049,341, hereinafter Mitchell). Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Toru in view of Mitchell and further in view of Tomoaki. The rejections are respectfully traversed for the following reasons.

Claims 1-3 and 8-10, in pertinent part, recite “thickness information of an object (dot) on said two-dimensional image.” As disclosed in FIG. 1, illustrating one example of what is recited in claims 1-3 and 8-10, the stereoscopic image display device comprises a means for generating thickness information of the object on the basis of depth information indicating a far side position of the object and the depth information indicating the near side position of the object. (See paragraphs [0018] and [0031]-[0033] of the application-as-published)

While the Examiner conceded that Toru fails to teach “thickness information of an object (dot),” in claims 1-3 and 8-10, the Examiner referred to Mitchell’s edge cycles as teaching the “thickness information of an object.” Mitchell’s edge cycle is a sequence of line segments that

represents the direction of travel of the center point of a moving object. Mitchell purports to detect a collision between a moving object and another object by using the edge cycle. (See Mitchell's column 2, lines 52-63 and column 5, lines 35-50) The edge cycle illustrating moving path of the moving object does not teach or suggest any information on the thickness information of an object (dot), as required by claims 1, 3 and 8-10. In addition, Tomaoki is silent on the thickness information of the object. Thus, the combination of Toru, Mitchell and Tomaoki, at most results in a mechanism to detect a collision between a moving object and another object by using the edge cycle without any information on thickness information of the moving object or another object. In contrast, claims 1-3 and 8-10 require "thickness information of an object (dot) on said two-dimensional image."

Since the combination of Toru, Mitchell and Tomaoki fails to satisfy requirement of claims 1-3 and 8-10, claims 1-3 and 8-10 are patentable over the combination of Toru, Mitchell and Tomaoki.

The combination of Toru, Mitchell and Tomaoki fails to disclose limitations of claims 4 and 5 regarding depth information indicating a near side of each dot on said two-dimensional image and depth information indicating a far side of each dot on said two-dimensional image,"

The Examiner also referred to Mitchell's edge cycles as teaching the "depth information indicating a near side of each dot on said two-dimensional image and depth information indicating a far side of each dot on said two-dimensional image," in claims 4 and 5. However, as addressed above, Mitchell's edge cycles illustrating only moving path of the moving object does not have any information on "depth information indicating a near side of each dot on said two-dimensional image and depth information indicating a far side of each dot on said two-dimensional image," useful for converting the data of said two-dimensional image into a

stereoscopic vision-use image, as required by claims 4 and 5. In addition, Toru and Taomaki are silent on “depth information indicating a near side of each dot on said two-dimensional image and depth information indicating a far side of each dot on said two-dimensional image.”

Since the combination of Toru, Mitchell and Taomaki fails to satisfy requirement of claims 4 and 5, claims 4 and 5 are patentable over the combination of Toru, Mitchell and Taomaki.

Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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